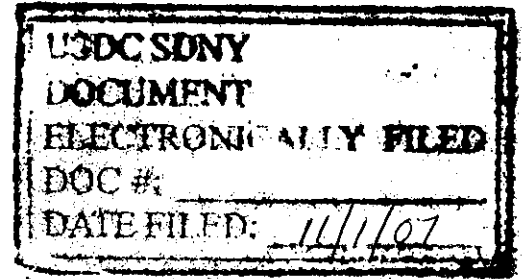


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- X  
TRUEBORN MY ALLAH a/k/a JOSEPH AITORO, :

Plaintiff, :

-against- :

DIRECTOR HARLEY G. LAPPIN, et al., :

Defendants. :

07 Civ. 5546 (GEL) (AJP)

RULE 16 INITIAL PRETRIAL  
CONFERENCE ORDER

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**ANDREW J. PECK, United States Magistrate Judge:**

Based on the Initial Pretrial Conference pursuant to Rule 16, Fed. R. Civ. P., held on November 1, 2007 before Magistrate Judge Andrew J. Peck, IT IS HEREBY ORDERED THAT:

1. Defendants' response to the complaint is due December 3, 2007.
2. The Court strikes plaintiff's "class action" allegations, with plaintiff's consent, without prejudice to renewal if plaintiff obtains counsel.
3. All fact and expert discovery must be completed by February 1, 2008.
4. Each party will notify this Court by February 5, 2008 as to whether it intends to move for summary judgment. Summary judgment motions must be filed by

February 29, 2008, and must comply with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned.

5. The parties are to submit a joint proposed pretrial order, in conformance with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned, by February 29, 2008 if neither party is moving for summary judgment, or 30 days after decision on the summary judgment motion. The case will be considered trial ready on 24-hours notice after the pretrial order has been submitted.

6. A status conference will be held before the undersigned on December 7, 2007 at 9:30 a.m. in Courtroom 20D (500 Pearl Street).

7. The parties are directed to follow the "Individual Practices of Magistrate Judge Andrew J. Peck," a copy of which was previously provided.

SO ORDERED.

DATED: New York, New York  
November 1, 2007

  
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**Andrew J. Peck**  
United States Magistrate Judge

Copies to: Trueborn My Allah a/k/a Joseph Aitoro (Mail)  
Robert W. Yalen, Esq. (Fax)  
Judge Gerard E. Lynch